



Washington Gas

Annual Standards and Specifications:

Erosion and Sediment Control &
Stormwater Management

June 26, 2020

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i: Abbreviations and Acronyms

BMP	Best Management Practices
CBPA	Chesapeake Bay Preservation Area
CGP	Construction General Permit
DEQ	Virginia Department of Environmental Quality
ESC	Erosion and Sediment Control
ESC Plan	Project-specific Plan for ESC Practices
GM 15-2003	DEQ Guidance Memo for Post-development Stormwater Management Implementation Guidance for Linear Utility Projects
GM 16-2001	DEQ Guidance Memo for updated Virginia Runoff Reduction Method Compliance Spreadsheets – Version 3.0
LDA	Land Disturbing Activities
MS4	Municipal Separate Stormwater Sewer Systems
PPP	Pollution Prevention Plan
PR	Pollutant Removal
RLD	Responsible Land Disturber
RR	Runoff Reduction
SWM	Stormwater Management
SWPPP	Stormwater Pollution Prevention Plan
TMDL	Total Maximum Daily Load
VAC	Virginia Administrative Code
VESCH	Virginia Erosion and Sediment Control Handbook
VESCP	Virginia Erosion and Sediment Control Program
VPDES	Virginia Pollution Discharge Elimination System
VRRM	Virginia Runoff Reduction Method
VSMP	Virginia Stormwater Management Program


1.0 INTRODUCTION

Washington Gas (WG) is a natural gas utility with distribution and transmission pipelines throughout the Northern Virginia region. The requirements for linear utilities set forth in Virginia Administrative Code (VAC) § 62.1-44.15:31 state that linear utilities may, annually submit a single set of standards and specifications for the Department of Environmental Quality (DEQ) approval that describes how land-disturbing activities shall be conducted.

The Annual Standards Specifications for Erosion and Sediment Control & Stormwater Management is intended to outline WG's responsibilities in accordance with the Stormwater Management (SWM) Act (VAC §§ 62.1-44.15:24.-:50), the Erosion and Sediment Control (ESC) Law (VAC §§ 62.1-44.15:51.-:65), and all associated regulations.

1.1. Certification Statement

2. I certify under penalty of law that all information and attachments related to the submission and updating of the Washington Gas' Annual Standards and Specifications for Erosion and Sediment Control and Stormwater Management have been prepared under my direction or supervision in a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of a fine and imprisonment for knowing violations.

3. Signature:  Date: 6/26/2020

Ryan Miller

Supervisor—Environmental Compliance and Affairs Department

2.0 APPLICABILITY OF ANNUAL STANDARDS AND SPECIFICATIONS

2.1 Land Disturbance Thresholds

For construction, operations, or maintenance projects undertaken by WG, the land disturbance area of the individual project designates the compliance requirements under the ESC and SWM laws. These thresholds may also be impacted by requirements of the Chesapeake Bay Preservation Act as outlined below.

2.1.1 Erosion and Sediment Control

The ESC law (§62.1-44.15:51, 9VAC25-840-70) applies to any land-disturbing activity that is greater than or equal to 10,000 square feet in area, or greater than or equal to 2,500 square feet in area in areas subject to the Chesapeake Bay Preservation Area (CBPA) Designation and Management Regulations (9VAC 25-830). Under the ESC Law, a land-disturbing activity shall be defined as:

Any man-made change to the land surface that may result in soil erosion from water or wind and the movement of sediments into state waters or onto lands in the Commonwealth, including, but not limited to, clearing, grading, excavating, transporting, and filling of land, except that the term shall not include:

- Individual service connections;
- Installation, maintenance, or repair of any underground public utility lines when such activity occurs on an existing hard surfaced road, street, or sidewalk, provided the land-disturbing activity is confined to the area of the road, street, or sidewalk that is hard surfaced;
- Disturbed land areas of less than 10,000 square feet in size or 2,500 square feet in all areas of the jurisdictions designated as subject to the Chesapeake Bay Preservation Area Designation and Management Regulations; however, the governing body of the program authority may reduce this exception to a smaller area of disturbed land or qualify the conditions under which this exception shall apply;
- Installation of fence and sign posts or telephone and electric poles and other kinds of posts or poles;
- Emergency work to protect life, limb, or property, and emergency repairs; however, if the land- disturbing activity would have required an approved erosion and sediment control plan, if the activity were not an emergency, then the land area disturbed shall be shaped and stabilized in accordance with the requirements of the DEQ.

2.1.2 Stormwater Management

The SWM law (§ 62.1-44.15:24. and :34, 9VAC25-870-10) applies to any land-disturbing activity that is greater than or equal to one acre in area, or greater than or equal to 2,500 square feet in area in areas subject to the CBPA Designation and Management Regulations (9VAC 25-830). Under the SWM Act, a land-disturbing activity shall also be defined as:

A man-made change to the land surface that potentially changes its runoff characteristics including clearing, grading, or excavation, except that the term shall not include the following, unless required by federal law:

- Permitted surface or deep mining operations and projects, or oil and gas operations and projects conducted under the provisions of Title 45.1;
- Land-disturbing activities that disturb less than one acre of land area except for land-disturbing activity exceeding an area of 2,500 square feet in all areas of the jurisdictions designated as subject to the CBPA Designation and Management Regulations adopted pursuant to the provisions of the Chesapeake Bay Preservation

Act or activities that are part of a larger common plan of development or sale that is one acre or greater of disturbance;

- Discharges to a sanitary sewer or a combined sewer system;
- Routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original construction of the project. The paving of an existing road with a compacted or impervious surface and reestablishment of existing associated ditches and shoulders shall be deemed routine maintenance if performed in accordance with this subsection; and,
- Conducting land-disturbing activities in response to a public emergency where the related work requires immediate authorization to avoid imminent endangerment to human health or the environment. In such situations, the DEQ shall be advised of the disturbance within seven days of commencing the land-disturbing activity, and compliance with the administrative requirements of subsection A is required within 30 days of commencing the land-disturbing activity.

2.2 Off-site Area Permit Status

As required by ESC and SWM regulations 9VAC25-840-80.D and 9VAC25-880-30.C., off-site areas associated with a land-disturbing activity shall be considered part of the overall project. On WG projects, these areas would typically include spoils, disposal areas and laydown yards. These associated land disturbances will also be reported to DEQ.

2.2.1 Spoils Disposal Sites

Some WG land-disturbing projects may include a wet or dry spoils disposal site not be identified at the time of project planning. In order to ensure these areas are included in the project oversight, the additional addresses of these locations will be included in the DEQ project notifications.

2.2.2 Contractor Laydown Yards

The majority of WG projects are completed by blanket contractors with local or regional facilities for equipment and materials storage. These facilities are operated and maintained by these contractors. When temporary or project-specific laydown yards are created, these areas will be included in the total project area and counted toward the site area for compliance with SWM laws and regulations. In some cases, these areas may not be identified until after the project planning phase has been completed. In these cases, the locations will be identified and included in the project plans and documentation prior to land disturbance within that area.

2.3 Projects Subject to Annual Standards and Specifications

Per sections § 62.1-44.15:31.B. and § 62.1-44.15:55.D of the SWM Act and ESC Law, linear projects subject to annual standards and specifications include:

1. Construction, installation, or maintenance of electric transmission, natural gas, and telephone utility lines and pipelines, and water and sewer lines; and,
2. Construction of the tracks, rights-of-way, bridges, communication facilities, and other related structures and facilities of a railroad company.

Specific WG project types subject to Annual Standards & Specifications may include, but are not limited to:

- Large diameter, steel pipeline construction and replacement projects;
- Small diameter, plastic mainline construction and replacement projects;
- Construction or expansion of above-ground metering and regulating stations that are part of WG's linear network;
- Operational work including, but not limited to, leak repairs, corrosion protection work, retirement of facilities not in use, integrity digs, and the installation of pipeline protection facilities; and,
- Land disturbance for temporary support areas and/or temporary access roads for the above-listed projects.

Other work undertaken by WG that falls outside of these criteria falls under the jurisdiction of the local Virginia Erosion and Sediment Control Program (VESCP) / Virginia Stormwater Management Program (VSMP) Authority.

3.0 DEQ-CERTIFIED PERSONNEL

WG shall be the plan approval authority and administrator for the WG Annual Standards and Specifications. Descriptions of the personnel required to fulfil the requirements set forth in 9VAC25-850-20 are outlined below. These personnel may be internal employees and/or outside contractors hired by WG for this purpose. A single individual may fulfill more than one role as long as he/she holds the required certifications for each specific role.

3.1 DEQ-Certified Program Administrator (ESC and SWM)

The DEQ-Certified Program Administrator shall be responsible for the management and implementation of the WG Annual Standards and Specifications. This individual shall hold a certificate for DEQ-Certified Program Administrator for ESC and SWM (or Combined/Dual-Combined Administrator). The Program Administration Certification cannot be contracted out.

3.2 DEQ-Certified Plan Reviewer (ESC and SWM)

The DEQ-Certified Plan Reviewer shall be responsible for the review and approval of project ESC plans (and SWM plans when applicable) in accordance with these Annual Standards and

Specifications. This individual shall hold a certificate for DEQ-Certified ESC and/or SWM Plan Reviewer as applicable.

Any person employed as a plan reviewer who is licensed as a professional engineer, architect, certified landscape architect, or land surveyor pursuant to Article 1 (§ 54.1-400 et seq.) of Chapter 4 of Title 54.1 of the Code of Virginia or as a professional soil scientist as defined in Chapter 22 (§ 54.1-2200 et seq.) of Title 54.1 of the Code of Virginia shall qualify as a certified plan reviewer for ESC and will not require a certificate of competence from the board. In lieu of a person holding this board certificate of competence, such person shall produce a current professional license or certification upon request of the department. However, a plan reviewer approving SWM plans shall hold a DEQ-SWM Plan Reviewer certificate.

3.3 DEQ-Certified Inspector (ESC and SWM)

The DEQ-Certified Inspector shall be responsible for the inspection and compliance of ESC, SWM, and SWPPP practices as applicable to an individual project. These individuals shall hold a certificate for DEQ-Certified ESC and/or SWM Inspector as applicable. This role may be completed by a dedicated ESC/SWM Inspector or shared with a WG Construction Inspector assigned to a specific project. A DEQ qualified inspector, whether held by a WG employee or externally contracted, will appropriately conduct inspections of ESC and SWM practices on qualifying projects.

3.4 DEQ-Certified Responsible Land Disturber

The DEQ-Certified Responsible Land Disturber (RLD) shall be responsible for the day to day implementation of a project-specific WG ESC Plan. Typically, each WG project under the jurisdiction of the ESC law and or SWM Act will have an inspector who is a DEQ-Certified RLD. WG may also require the contractor to provide a DEQ-certified RLD on a specific project. As outlined in Section 8.0, a WG-assigned RLD may assume responsibility of periodic ESC inspections on qualifying projects.

3.5 Entering Into Contracts

WG may enter into agreements or contracts with soil and water conservation districts, adjacent localities, or other public or private entities to carry out or assist with the responsibilities of these Annual Standards and Specifications as outlined in § 62.1-44.15:54.B and, § 62.1-44.15:27.H.

4.0 ADMINISTRATION

WG Annual Standards and Specifications administration responsibilities includes plan preparation and review, permit and/or variance and exemption submittals to the DEQ, routine inspections, and records retention. Enforcement, fees and complaint resolution and oversight inspections will be completed by DEQ as outlined in following sections.

4.1 Plan Review Process

This section outlines requirements for ESC and SWM plans for review and approval by DEQ-certified personnel prior to the initiation of regulated land disturbing activities. Plans must be submitted to a DEQ-certified plan reviewer within WG. That plan reviewer will provide comments and/or written approval of the plans prior to the start of construction.

4.1.1 ESC Plans

ESC plans for regulated land-disturbing activities shall be developed following the requirements of these AS&S; the Virginia Erosion and Sediment Control Handbook, 1999, as amended (VESCH); DEQ provided technical bulletins; and, applicable laws and regulations. An outline of the required plan information can be found in the text of the Construction General Permit (CGP) VAR 10 Part II.A.2.

Plans will be submitted to the DEQ-Certified Plan Reviewer prior to commencement of land-disturbing activities.

4.1.2 SWM Plans

Where applicable, SWM plans for regulated land-disturbing activities shall be developed following the requirements of the Virginia Stormwater Management Handbook, 1999, as amended; DEQ provided technical bulletins, and; applicable SWM laws and regulations. An outline of the required plan information can be found in CPG VAR 10 Part II.A.3.

Plans will be submitted to an approved by the DEQ-Certified Plan Reviewer prior to commencement of land-disturbing activities.

4.2 Construction General Permit Permitting Process

The DEQ shall serve as the authority in the implementation of the CGP for projects subject to these Annual Standards & Specifications, and issuance and termination submittals for the CGP shall go through the DEQ.

4.2.1 Registration Statement

For applicable projects with equal to or greater than one acre of active land disturbance area, WG will submit a registration statement for a CGP for discharges of Stormwater from construction activities prior to the commencement of land disturbance. A completed Annual Standards and Specifications Entity Information Sheet will also be completed for each applicable project and submitted with the registration statement.

4.2.2 General Permit Compliance

All projects registered as outlined above will follow the requirements of the General Permit No.: VAR-10.

Within 30 days of project completion, a Notice of Termination will be submitted to the DEQ as outlined in CGP VAR10.Part 1.F.

4.3 Records Retention

In accordance with 9VAC25870-126.B, WG shall keep the following records:

1. Project records, including approved ESC and SWM plans, SWPPP binders and other completed onsite compliance documentation shall be kept for three years after state permit termination or project completion.
2. Stormwater management facility inspection records shall be documented and retained for at least five years from the date of inspection.
3. Construction record drawings shall be maintained in perpetuity or until a stormwater management facility is removed.
4. All registration statements submitted in accordance with 9VAC25-870-59 shall be documented and retained for at least three years from the date of project completion or state permit termination.
5. Maintain, either onsite or in AS&S files, a copy of the approval plan and a record of inspections for each active land disturbing activity.

4.4 Violations and Enforcement Actions

The DEQ will serve as the VESCP and VSMP authority for the enforcement of these Standards and Specifications as outlined in 9VAC25-870-116. The DEQ will perform random site inspections or inspections in response to a complaint to assure compliance with the associated laws/regulations and these Standards and Specifications. WG may be required to submit relevant project documentation and plans for covered activities to the DEQ to ensure consistency with these Annual Standards and Specifications and applicable permit requirements.

5.0 VARIANCES, EXCEPTIONS, DECLINE TO PERMIT

5.1 Variance Requests

In situations where project variance requests will require a deviation from the state minimum standards or from applicable ESC laws, DEQ will be the review and approval authority for the variance requests. Project-specific variance requests will be considered freestanding of this Annual Standard and Specification submission and will be reviewed on an individual, project-specific basis.

As outlined in 9VAC25-840-50 a variance may be granted under the following conditions:

1. At the time of plan preparation, WG may request a variance to become part of the approved erosion and sediment control plan. WG shall explain the reasons for requesting variances in writing. Specific variances which are allowed by the DEQ shall be documented in the plan.
2. During construction, the person responsible for implementing the approved plan may request a variance in writing from the DEQ. The DEQ shall respond in writing either approving or disapproving such a request. If the DEQ does not approve a variance within 10 days of receipt of the request, the request shall be considered to be disapproved. Following disapproval, WG may resubmit a variance request with additional documentation.

The following information shall be included in variance requests:

- i. Introduction
- ii. Project Description
- iii. Minimum Standards Variance Requests
- iv. Existing Conditions and Adjacent Areas
- v. Soil Characterization
- vi. Critical and Sensitive Areas (Karst, wetland, etc...)
- vii. Mitigation
- viii. ESC Measures
 - i. Permanent Stabilization
 - ii. Vegetative Restoration
 - iii. Maintenance
 - iv. Critical and Sensitive Areas
- ix. Self-Inspection, Reporting and DEQ-Certified Personnel

5.2 Exceptions

5.2.1 ESC Law

As outlined previously in section 2.1.1, certain activities outlined in § 62.1-44.15:51. are not included in the “land-disturbing activity” definition. As they relate to WG land-disturbing activities, these activities include:

1. Individual service line connections;
2. Pipeline construction or replacement projects located fully within an existing hard surfaced road, street or sidewalk;
3. Oil and Gas projects conducted pursuant to Title 45.1;

4. Land-disturbing activities where the WG project area is less than 10,000 square feet and less than 2,500 square feet in the CBPA area;
5. Installation of fence and sign posts and other kinds of posts or poles; and,
6. Emergency work to protect life, limb, or property, and emergency repairs; however, if the land-disturbing activity would have required an approved erosion and sediment control plan, if the activity were not an emergency, then the land area disturbed shall be shaped and stabilized in accordance with the requirements of the VESCP authority.

5.2.2 SWM Act

As outlined previously in section 2.1.1, certain activities outlined in § 62.1-44.15:34.C are exempt from the Stormwater Management Act requirements. As they relate to WG land-disturbing activities, these activities include:

1. § 62.1-44.15:34.C.1 – Transmission pipeline construction and replacement projects meeting the definitions of an oil and gas operation conducted under the provisions of Title 45.1;
2. § 62.1-44.15:34.C.4 – Land-disturbing activities where the WG project area is less than one acre and less than 2,500 square feet in the CBPA area;
3. § 62.1-44.15:34.C.7 – Routine maintenance projects that is performed to maintain the original line or construction of the project, including, but not limited to, leak repairs, integrity digs, anti-corrosion or pipeline protection installations; and,
4. § 62.1-44.15:34.C.8 – Emergency work to avoid imminent endangerment to human health or the environment. In such situations, the VSMP authority shall be advised of the disturbance within seven days of commencing the land-disturbing activity, and compliance with the administrative requirements of subsection A is required within 30 days of commencing the land-disturbing activity.

5.3 Guidance Memo No. 15-2003

This section outlines WG compliance responsibilities under Guidance Memo No. 15-2003 Post development Stormwater Management Implementation Guidance for Linear Utility Projects (GM-15- 2003) under the Virginia Stormwater Management Program Regulation 9VAC25-870. A copy of this document is attached in Appendix C or can be found at: <http://www.deq.virginia.gov/Portals/0/DEQ/Water/Guidance/152003.pdf>

GM 15-2003 provides guidelines for certain linear utility projects to obtain a waiver from SWM plan requirements and/or an exemption from CGP requirements.

5.3.1 SWM Waiver

As outlined in section 2.1.2, any land-disturbing activity that is greater than or equal to one acre in area, or greater than or equal to 2,500 square feet in area within the CBPA requires a SWM Plan. Additionally, any land-disturbing activity that is greater than or equal to one acre in area requires coverage under the Construction General Permit.

For projects requesting a SWM plan waiver under GM No. 15-2003, DEQ requires that a complete ESC plan and documentation of water quantity analysis be submitted for review. WG is required to produce documentation of water quantity analysis to demonstrate the applicability of Guidance Memo No. 15-2003. The Department may also request analysis of water quality if impervious area is proposed.

This documentation must reasonably demonstrate that the project will not significantly change the predevelopment runoff characteristics of the land surface after the completion of construction and final stabilization. If non-significance is determined, then the DEQ, at their discretion, may waive the requirement for the preparation and implementation of a stormwater management plan. Where appropriate, the documentation submitted to DEQ will include the following:

- a. Pre- and post-construction drainage areas and land cover conditions;
- b. Limits of disturbance;
- c. Methodology for the restoration of land cover conditions to predevelopment conditions;
- d. An ESC plan (excluding the requirements of 9VAC25-840-40.19m. and n.)

Project-specific WG submittals and DEQ approvals for waivers of the SWM plan requirement will be completed in accordance with the appropriate DEQ protocols. Where approval is granted by DEQ waiving the requirement for a stormwater management plan, WG will not be required to meet the following regulatory sections:

- a. SWM Quality – 9VAC25-870-63 & -65
- b. SWM Quantity - 9VAC25-870-66
- c. ESC MS-19 - 9VAC25-840-40.19.m & n.

5.3.2 CGP Decline to Permit Letter

As outlined in section 4.2, projects with greater than or equal to one acre of land disturbance require CGP coverage.

For projects greater than or equal to one acre, the construction of aboveground or underground linear utilities may be conducted without requiring coverage under the CGP provided that:

- The project does not significantly alter the predevelopment runoff characteristics of the land surface after the completion of construction and final stabilization;

- The project is managed so that less than one (1) acre of land disturbance occurs on a daily basis;
- The disturbed land where work has been completed is adequately stabilized on a daily basis;
- The environment is protected from erosion and sedimentation damage associated with the land disturbing activity;
- The owner and/or construction activity operator designs, installs, implements, and maintains pollution prevention measures to:
 - Minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters;
 - Minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste, and other materials present on-site to precipitation and to stormwater;
 - Minimize the discharge of pollutants from spills and leaks and implement chemical spill and leak prevention and response procedures;
 - Prohibit the discharge of wastewater from the washout of concrete;
 - Prohibit the discharge of wastewater from the washout and cleanout of stucco, paint, form release oils, curing compounds, and other construction materials; and
 - Prohibit the discharge of fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance;
- The owner and/or construction activity operator provides reasonable assurance to the DEQ that all of the above conditions will be satisfied; and,
- The above conditions shall be incorporated into the erosion and sediment control plan developed for the project.

Project-specific WG submittals and DEQ approvals for exemptions from CGP coverage will be completed in accordance with the appropriate DEQ protocols.

6.0 DEQ OVERSIGHT

6.1 Annual Submittal to DEQ

The requirements for linear utilities set forth in VAC § 62.1-44.15:31 and § 62.1-44.15:55D, state that linear utilities shall annually submit a single set of standards and specifications for DEQ approval that describes how land-disturbing activities shall be conducted. The standards and specifications shall include:

1. Technical criteria to meet the requirements of this article and regulations developed under this article;

2. Provisions for the long-term responsibility and maintenance of stormwater management control devices and other techniques specified to manage the quantity and quality of runoff;
3. Provisions for erosion and sediment control and stormwater management program administration, plan design, review and approval, and construction inspection and enforcement;
4. Provisions for ensuring that responsible personnel and contractors obtain certifications or qualifications for erosion and sediment control and stormwater management comparable to those required for local government;
5. Implementation of a project tracking and notification system to the DEQ of all land- disturbing activities covered under this article; and,
6. Requirements for documenting onsite changes as they occur to ensure compliance with the requirements of the article.

The contents of this document meet the requirements of these standards and specifications.

6.2 Enforcement

6.2.1 SWM

Enforcement shall be administered by the DEQ where applicable in accordance with the provisions of § 62.1-44.15:27.F.

6.2.2 ESC

The DEQ, where applicable, shall provide project oversight and enforcement as necessary, and comprehensive program compliance review and evaluation. The DEQ may take enforcement actions in accordance with § 62.1-44.15:54.E, § 62.1-44.15:56.G and related regulations.

6.3 Complaints and Inspections

Per VAC § 62.1-44.15:31.C. the DEQ shall perform random site inspections or inspections in response to a complaint to assure compliance with this article, the Erosion and Sediment Control Law, and regulations adopted thereunder.

6.4 Fees

6.4.1 SWM

The DEQ shall assess an administrative charge to cover the costs of services rendered associated with its responsibilities pursuant to § 62.1-44.15:31.D.

6.4.2 ESC

The DEQ shall have the authority to enforce approved specifications and charge fees equal to the lower of (i) \$1,000 or (ii) an amount sufficient to cover the costs associated with standard and specification review and approval, project inspections, and compliance as outlined in section § 62.1- 44.15:55.D.

6.5 DEQ Discretionary Requirements

Four Discretionary Requirements:

1. Inspection reports conducted by WG, as well as complaint logs and complaint responses, may be required to be submitted to the DEQ.
2. WG may be required to provide weekly e-reporting to the DEQ's applicable regional office, including:
 - i. Inspection reports;
 - ii. Pictures;
 - iii. Complaint logs and complaint responses; and,
 - iv. Other compliance documents.
3. In addition to WG internal plan review, WG may be required to submit individual project-specific plans to the DEQ for review and approval.
4. The project-specific plan, DEQ approval, and supporting documents may be required to be posted on WG's website for public view.

7.0 TECHNICAL CRITERIA

7.1 Erosion Control Requirements

WG projects will be designed in accordance with ESC Law § 62.1-44.15:51 to § 62.1-44.15:66 and ESC Regulations 9VAC25-840. At a minimum, erosion and sediment control measures must address the requirements as defined in 9VAC25-880-70 Part II A.2.c(1-9), summarized as follows:

1. Control stormwater volume and velocity within the site;
2. Control stormwater discharges at outlets;
3. Minimize the amount of soil exposed during construction;
4. Minimize disturbance of steep slopes;
5. Minimize sediment discharges;
6. Provide and maintain natural buffers around surface waters where feasible;
7. Minimize soil compaction and preserve topsoil;
8. Stabilization of disturbed areas; and,

9. Utilize outlet structures that withdraw water from the surface.

These minimum requirements shall be met through the implementation of the Minimum Standards of the Virginia Erosion and Sediment Control Regulations (9VAC25-840-40) in the ESC Plan; by the design, construction, and maintenance of erosion and sediment controls in accordance with the *Virginia Erosion and Sediment Control Handbook* (1992, 3rd Edition) as amended, (VESCH); and the application of environmental site design principles.

The VESCH includes information on seeding mixtures used to reestablish ground cover. For additional information regarding native and invasive plant species, see the “DEQ Native v. Invasive Plant Species for Erosion and Sediment Control FAQ”. This document can be found at:

<http://www.deq.virginia.com/Portals/0/Water/Publications/NativeInvasiveFAQ.pdf>

7.2 Minimum Standards of the Virginia Erosion and Sediment Control Regulations

As outlined in (9VAC25-840-40):

1. *Permanent or temporary soil stabilization shall be applied to denuded areas within seven days after final grade is reached on any portion of the site. Temporary soil stabilization shall be applied within seven days to denuded areas that may not be at final grade but will remain dormant for longer than 14 days. Permanent stabilization shall be applied to areas that are to be left dormant for more than one year.*
2. *During construction of the project, soil stock piles and borrow areas shall be stabilized or protected with sediment trapping measures. The applicant is responsible for the temporary protection and permanent stabilization of all soil stockpiles on site as well as borrow areas and soil intentionally transported from the project site.*
3. *A permanent vegetative cover shall be established on denuded areas not otherwise permanently stabilized. Permanent vegetation shall not be considered established until a ground cover is achieved that is uniform, mature enough to survive and will inhibit erosion.*
4. *Sediment basins and traps, perimeter dikes, sediment barriers and other measures intended to trap sediment shall be constructed as a first step in any land-disturbing activity and shall be made functional before upslope land disturbance takes place.*
5. *Stabilization measures shall be applied to earthen structures such as dams, dikes and diversions immediately after installation.*
6. *Sediment traps and sediment basins shall be designed and constructed based upon the total drainage area to be served by the trap or basin.*
 - a. *The minimum storage capacity of a sediment trap shall be 134 cubic yards per acre of drainage area and the trap shall only control drainage areas less than three acres.*

- b. Surface runoff from disturbed areas that is comprised of flow from drainage areas greater than or equal to three acres shall be controlled by a sediment basin. The minimum storage capacity of a sediment basin shall be 134 cubic yards per acre of drainage area. The outfall system shall, at a minimum, maintain the structural integrity of the basin during a 25-year storm of 24-hour duration. Runoff coefficients used in runoff calculations shall correspond to a bare earth condition or those conditions expected to exist while the sediment basin is utilized.*
- 7. Cut and fill slopes shall be designed and constructed in a manner that will minimize erosion. Slopes that are found to be eroding excessively within one year of permanent stabilization shall be provided with additional slope stabilizing measures until the problem is corrected.*
- 8. Concentrated runoff shall not flow down cut or fill slopes unless contained within an adequate temporary or permanent channel, flume or slope drain structure.*
- 9. Whenever water seeps from a slope face, adequate drainage or other protection shall be provided.*
- 10. All storm sewer inlets that are made operable during construction shall be protected so that sediment-laden water cannot enter the conveyance system without first being filtered or otherwise treated to remove sediment.*
- 11. Before newly constructed stormwater conveyance channels or pipes are made operational, adequate outlet protection and any required temporary or permanent channel lining shall be installed in both the conveyance channel and receiving channel.*
- 12. When work in a live watercourse is performed, precautions shall be taken to minimize encroachment, control sediment transport and stabilize the work area to the greatest extent possible during construction. Non-erodible material shall be used for the construction of causeways and cofferdams. Earthen fill may be used for these structures if armored by non- erodible cover materials.*
- 13. When a live watercourse must be crossed by construction vehicles more than twice in any six- month period, a temporary vehicular stream crossing constructed of non-erodible material shall be provided.*
- 14. All applicable federal, state and local requirements pertaining to working in or crossing live watercourses shall be met.*
- 15. The bed and banks of a watercourse shall be stabilized immediately after work in the watercourse is completed.*
- 16. Underground utility lines shall be installed in accordance with the following standards in addition to other applicable criteria:*
 - a. No more than 500 linear feet of trench may be opened at one time.*

- b. Excavated material shall be placed on the uphill side of trenches.*
 - c. Effluent from dewatering operations shall be filtered or passed through an approved sediment trapping device, or both, and discharged in a manner that does not adversely affect flowing streams or off-site property.*
 - d. Material used for backfilling trenches shall be properly compacted in order to minimize erosion and promote stabilization.*
 - e. Restabilization shall be accomplished in accordance with this chapter.*
 - f. Applicable safety requirements shall be complied with.*
- 17. Where construction vehicle access routes intersect paved or public roads, provisions shall be made to minimize the transport of sediment by vehicular tracking onto the paved surface. Where sediment is transported onto a paved or public road surface, the road surface shall be cleaned thoroughly at the end of each day. Sediment shall be removed from the roads by shoveling or sweeping and transported to a sediment control disposal area. Street washing shall be allowed only after sediment is removed in this manner. This provision shall apply to individual development lots as well as to larger land-disturbing activities.*
- 18. All temporary erosion and sediment control measures shall be removed within 30 days after final site stabilization or after the temporary measures are no longer needed, unless otherwise authorized by the VESCP authority. Trapped sediment and the disturbed soil areas resulting from the disposition of temporary measures shall be permanently stabilized to prevent further erosion and sedimentation.*
- 19. Properties and waterways downstream from development sites shall be protected from sediment deposition, erosion and damage due to increases in volume, velocity and peak flow rate of stormwater runoff for the stated frequency storm of 24-hour duration in accordance with the following standards and criteria. Stream restoration and relocation projects that incorporate natural channel design concepts are not man-made channels and shall be exempt from any flow rate capacity and velocity requirements for natural or man-made channels:*
- a. Concentrated stormwater runoff leaving a development site shall be discharged directly into an adequate natural or man-made receiving channel, pipe or storm sewer system. For those sites where runoff is discharged into a pipe or pipe system, downstream stability analyses at the outfall of the pipe or pipe system shall be performed.*
 - b. Adequacy of all channels and pipes shall be verified in the following manner:*
 - (1) The applicant shall demonstrate that the total drainage area to the point of analysis within the channel is 100 times greater than the contributing drainage area of the project in question; or*

- (2) (a) Natural channels shall be analyzed by the use of a two-year storm to verify that stormwater will not overtop channel banks nor cause erosion of channel bed or banks.
 - (2) (b) All previously constructed man-made channels shall be analyzed by the use of a 10-year storm to verify that stormwater will not overtop its banks and by the use of a two-year storm to demonstrate that stormwater will not cause erosion of channel bed or banks; and
 - (2) (c) Pipes and storm sewer systems shall be analyzed by the use of a 10-year storm to verify that stormwater will be contained within the pipe or system.
- c. If existing natural receiving channels or previously constructed man-made channels or pipes are not adequate, the applicant shall:
 - (1) Improve the channels to a condition where a 10-year storm will not overtop the banks and a two-year storm will not cause erosion to the channel, the bed, or the banks; or
 - (2) Improve the pipe or pipe system to a condition where the 10-year storm is contained within the appurtenances;
 - (3) Develop a site design that will not cause the pre-development peak runoff rate from a two-year storm to increase when runoff outfalls into a natural channel or will not cause the pre-development peak runoff rate from a 10-year storm to increase when runoff outfalls into a man-made channel; or
 - (4) Provide a combination of channel improvement, stormwater detention or other measures which is satisfactory to the VESCP authority to prevent downstream erosion.
- d. The applicant shall provide evidence of permission to make the improvements.
- e. All hydrologic analyses shall be based on the existing watershed characteristics and the ultimate development condition of the subject project.
- f. If the applicant chooses an option that includes stormwater detention, he shall obtain approval from the VESCP of a plan for maintenance of the detention facilities. The plan shall set forth the maintenance requirements of the facility and the person responsible for performing the maintenance.
- g. Outfall from a detention facility shall be discharged to a receiving channel, and energy dissipaters shall be placed at the outfall of all detention facilities as necessary to provide a stabilized transition from the facility to the receiving channel.

- h. All on-site channels must be verified to be adequate.*
- i. Increased volumes of sheet flows that may cause erosion or sedimentation on adjacent property shall be diverted to a stable outlet, adequate channel, pipe or pipe system, or to a detention facility.*
- j. In applying these stormwater management criteria, individual lots or parcels in a residential, commercial or industrial development shall not be considered to be separate development projects. Instead, the development, as a whole, shall be considered to be a single development project. Hydrologic parameters that reflect the ultimate development condition shall be used in all engineering calculations.*
- k. All measures used to protect properties and waterways shall be employed in a manner which minimizes impacts on the physical, chemical and biological integrity of rivers, streams and other waters of the state.*
- l. Any plan approved prior to July 1, 2014, that provides for stormwater management that addresses any flow rate capacity and velocity requirements for natural or man-made channels shall satisfy the flow rate capacity and velocity requirements for natural or man-made channels if the practices are designed to (i) detain the water quality volume and to release it over 48 hours; (ii) detain and release over a 24-hour period the expected rainfall resulting from the one year, 24-hour storm; and (iii) reduce the allowable peak flow rate resulting from the 1.5, 2, and 10-year, 24-hour storms to a level that is less than or equal to the peak flow rate from the site assuming it was in a good forested condition, achieved through multiplication of the forested peak flow rate by a reduction factor that is equal to the runoff volume from the site when it was in a good forested condition divided by the runoff volume from the site in its proposed condition, and shall be exempt from any flow rate capacity and velocity requirements for natural or man-made channels as defined in any regulations promulgated pursuant to § 62.1-44.15:54 or 62.1-44.15:65 of the Act.*
- m. For plans approved on and after July 1, 2014, the flow rate capacity and velocity requirements of § 62.1-44.15:52 A of the Act and this subsection shall be satisfied by compliance with water quantity requirements in the Stormwater Management Act (§ 62.1-44.15:24 et seq. of the Code of Virginia) and attendant regulations, unless such land-disturbing activities (i) are in accordance with provisions for time limits on applicability of approved design criteria in 9VAC25-870-47 or grandfathering in 9VAC25-870-48 of the Virginia Stormwater Management Program (VSMP) Regulation, in which case the flow rate capacity and velocity requirements of § 62.1-44.15:52 A of the Act shall apply, or (ii) are exempt pursuant to § 62.1-44.15:34 C 7 of the Act.*

- n. Compliance with the water quantity minimum standards set out in 9VAC25-870-66 of the VSMP Regulation shall be deemed to satisfy the requirements of this subdivision 19.*

7.3 SWM Quality and Quantity Requirements

Where applicable, WG projects will be designed in accordance with the SWM Act (§ 62.1-44.15:24. to § 62.1-44.15:50), VSMP Regulations (9VAC25-870), and VAR10 General Permit Requirements (9VAC25-880). At a minimum, a stormwater management plan must address the requirements as defined in 9VAC25-880-70 Part II A.3.a and b.

WG projects meeting the requirements of GM 15-2003, as outlined in section 5.3, will not be required to meet the SWM requirements outlined here.

7.3.1 Grandfathering and Time Limits of Applicability

WG Projects shall be required to meet the requirements of 9VAC25-870-47 and -48 regarding the time limits of applicability and the grandfathering of projects under Part IIC technical requirements.

7.3.2 IIB – Quality Requirements

Except as provided in 9VAC25-870-48, WG projects not subject to section 5.0 of the Annual Standards and Specifications shall be designed to meet the requirements set forth in Part IIB – Technical Criteria, 9VAC25-870-63 and 65. Any required off-site nutrient credit purchases should be coordinated with DEQ Central Office's NPS Water Quality Trading Coordinator prior to purchase.

7.3.3 IIB – Quantity Requirements

WG projects not subject to section 5.0 of the Annual Standards and Specifications shall meet the requirements set forth in 9VAC25-870-66 and 9VAC25-870-76.

7.3.4 Guidance Memo No. 16-2001 – Updated Virginia Runoff Reduction Method Compliance Spreadsheets – Version 3.0

GM 16-2003 and the Virginia Runoff Reduction Method (VRRM) will be used on applicable WG projects required to meet the Part IIB technical criteria.

The purpose of this section is to ensure construction areas are returned to a hydrologically functional state. In most situations on WG projects, the site is returned to the original contour and ground cover condition. For WG projects, the most common situation where a change in conditions occurs would be the conversion of Forest/Open Space to Managed Turf. This would occur where an area that is tree covered is cleared then seeded at completion. Where this occurs, areas that have been compacted from construction equipment will be mitigated and prepared for seeding by tilling to loosen the top 4" to 6". Any rights-of-way

established and maintained by WG to be clear of excessive vegetation will be bush hogged no more than 2 times in a calendar year.

WG does not typically build access roads for projects. If one is built, it will be restored to the original surface condition at the completion of the project. Areas that have been compacted will be prepared as described in the paragraph above.

7.3.5 IIC – Old Criteria

WG projects subject to the provisions of 9VAC25-870-47 B and 9VAC25-870-48 shall be designed in accordance with Part II C Technical Criteria.

7.3.6 Post Construction Best Management Practices/SWM Facilities

The Virginia Stormwater Best Management Practices (BMP) Clearinghouse (<http://www.vwrrc.vt.edu/swc/index.html>) will be used in the specification of post-construction BMPs unless otherwise approved by DEQ.

7.4 SWPPP Requirements

For all WG projects requiring CGP-VAR10 coverage, a Stormwater Pollution Prevention Plan (SWPPP) will be developed and used during construction of the project. The SWPPP will include the above-referenced ESC and SWM plans as well as a Pollution Prevention Plan (PPP) and information regarding associated total maximum daily load (TMDL) watershed requirements as outlined in 9VAC25-880-70 Parts II 4 and II 5, respectively.

7.4.1 Pollution Prevention Plan

A PPP addresses potential pollutant-generating activities that may reasonably be expected to affect the quality of stormwater discharges from the construction activity, including any support activity. The pollution prevention plan shall:

- a. Identify the potential pollutant-generating activities and the pollutant that is expected to be exposed to stormwater;
- b. Describe the location where the potential pollutant-generating activities will occur, or if identified on the site plan, reference the site plan;
- c. Identify all non-stormwater discharges, as authorized in Part I E of this general permit, that are or will be commingled with stormwater discharges from the construction activity, including any applicable support activity;
- d. Identify the person responsible for implementing the pollution prevention practice or practices for each pollutant-generating activity (if other than the person listed as the qualified personnel);

- e. Describe the pollution prevention practices and procedures that will be implemented to:
- (1) Prevent and respond to leaks, spills, and other releases including (i) procedures for expeditiously stopping, containing, and cleaning up spills, leaks, and other releases; and (ii) procedures for reporting leaks, spills, and other releases in accordance with Part III G;
 - (2) Prevent the discharge of spilled and leaked fuels and chemicals from vehicle fueling and maintenance activities (e.g., providing secondary containment such as spill berms, decks, spill containment pallets, providing cover where appropriate, and having spill kits readily available);
 - (3) Prevent the discharge of soaps, solvents, detergents, and wash water from construction materials, including the clean-up of stucco, paint, form release oils, and curing compounds (e.g., providing (i) cover (e.g., plastic sheeting or temporary roofs) to prevent contact with stormwater; (ii) collection and proper disposal in a manner to prevent contact with stormwater; and (iii) a similarly effective means designed to prevent discharge of these pollutants);
 - (4) Minimize the discharge of pollutants from vehicle and equipment washing, wheel wash water, and other types of washing (e.g., locating activities away from surface waters and stormwater inlets or conveyance and directing wash waters to sediment basins or traps, using filtration devices such as filter bags or sand filters, or using similarly effective controls);
 - (5) Direct concrete wash water into a leak-proof container or leak-proof settling basin. The container or basin shall be designed so that no overflows can occur due to inadequate sizing or precipitation. Hardened concrete wastes shall be removed and disposed of in a manner consistent with the handling of other construction wastes. Liquid concrete wastes shall be removed and disposed of in a manner consistent with the handling of other construction wash waters and shall not be discharged to surface waters;
 - (6) Minimize the discharge of pollutants from storage, handling, and disposal of construction products, materials, and wastes including (i) building products such as asphalt sealants, copper flashing, roofing materials, adhesives, and concrete admixtures; (ii) pesticides, herbicides, insecticides, fertilizers, and landscape materials; and (iii) construction and domestic wastes such as packaging materials, scrap construction materials, masonry products, timber, pipe and electrical cuttings, plastics, Styrofoam, concrete, and other trash or building materials;

- (7) Prevent the discharge of fuels, oils, and other petroleum products, hazardous or toxic wastes, and sanitary wastes;
 - (8) Address any other discharge from the potential pollutant-generating activities not addressed above; and
- f. Describe procedures for providing pollution prevention awareness of all applicable wastes, including any wash water, disposal practices, and applicable disposal locations of such wastes, to personnel in order to comply with the conditions of this general permit. The operator shall implement the procedures described in the SWPPP.

7.4.2 TMDL Requirements

A SWPPP shall contain requirements for discharges to impaired waters, surface waters with an applicable TMDL waste load allocation established and approved prior to the term of this general permit, and exceptional waters. The SWPPP shall:

- a. Identify the impaired water(s), approved TMDL(s), pollutant(s) of concern, and exceptional waters identified in 9VAC25-260-30 A 3 c, when applicable; and,
- b. Provide clear direction that:
 - (1) Permanent or temporary soil stabilization shall be applied to denuded areas within seven days after final grade is reached on any portion of the site;
 - (2) Nutrients shall be applied in accordance with manufacturer's recommendations or an approved nutrient management plan and shall not be applied during rainfall events; and,
 - (3) A modified inspection schedule shall be implemented in accordance with Part I B 4 or Part I B 5.

8.0 INSPECTIONS

8.1 WG ESC Inspection Requirements

As outlined in 9VAC25-840-60-B, periodic inspections are required by WG on all projects meeting the land disturbance thresholds outlined under section 3.1.1 of this manual.

WG shall provide for an inspection during or immediately following initial installation of erosion and sediment controls, at least once every two weeks, within 48 hours following a runoff producing storm event, and at the completion of the project. The periodic inspections laid out

in this section will be conducted by WG via a DEQ certified ESC inspector on non-exempt projects.

8.2 WG SWM Inspection Requirements

Per 9VAC24-870-114 and § 62.1-44.15:37 WG (i) shall provide for periodic inspections of the installation of stormwater management measures, (ii) may require monitoring and reports from the person responsible for meeting the permit conditions to ensure compliance with the permit and to determine whether the measures required in the permit provide effective stormwater management, and (iii) shall conduct such investigations and perform such other actions as are necessary to carry out the provisions of this article.

Please note that sections 8.3 and 8.4 below lay out the inspection requirements for the contractor/responsible land disturber/CGP permit holder for the project. These inspection frequencies differ from those required of WG.

8.3 CGP Permit Holder – SWPPP Inspection Requirements

WG will ensure that SWPPP inspections are completed in accordance with the CGP Part.II.F on all applicable projects.

8.3.1 Inspection Schedule

On projects meeting the requirements for CGP coverage, SWM Inspections will be completed as outlined in Part.II.F.2 of the CGP. In instances where the qualified personnel completing inspections under this section is a DEQ-certified SWM Inspector, these inspections may serve as the periodic inspections required under section 8.2 of this manual.

8.3.2 TMDL, Exceptional Waters, Impaired Waters Inspection Schedule

For projects operating within TMDL, Exceptional or Impaired Waters, inspections will be completed in accordance with CGP Part I.B.4 and 5.

8.3.3 Inspection Requirements

SWPPP inspections will be completed and recorded in accordance CGP Part II.F.3 and 4.

8.3.4 Corrective Actions

Any required corrective actions that are identified by the aforementioned inspections shall be documented and corrected in accordance with CGP Part II.E.1. and Part II.G.

8.4 ESC Control Measure Inspections

WG will provide for regular inspections of temporary erosion control devices by a DEQ-certified ESC inspector. These inspections shall be completed during or immediately following initial installation of erosion and sediment controls, at least once every two weeks, within 48 hours following a runoff producing storm event, and at the completion of the project.

9.0 DOCUMENTING ON-SITE CHANGES

All amendments, modifications, or updates to a SWPPP as outlined in Part II.B.4 of the CGP shall be documented no later than 7 days following the action. Changes shall be documented using the applicable corrective action log or SWPPP amendment, modification and update log. The changes shall also be documented on the ESC and/or SWM plan documents.

Any changes that impact information on a CGP registration statement, including but not limited to the addition of land disturbance areas, shall be communicated to the DEQ through the submittal of the completed log with a copy of the registration statement. Additional fees may be required by the DEQ for modifications to the registration statement.

Any plan changes that significantly impact the land disturbance area included on a project e-notification, an updated notification should be submitted to the DEQ.

10.0 LONG-TERM MAINTENANCE AND AGREEMENTS

WG shall provide for the long-term responsibility and maintenance of required post-construction stormwater management facilities and other techniques specified to manage the quality and quantity of runoff from a project area as outlined in 9VAC25-870-112. At the time of stormwater management plan approval, a draft maintenance agreement/plan sheet shall be completed and shall include the following information:

- a) A description of the requirements for maintenance and maintenance inspection of the stormwater management facilities and a recommended schedule of maintenance inspection and maintenance;
- b) The identification of a person or persons who will be responsible for inspections and maintenance;
- c) The maintenance inspection schedule and maintenance requirements should be in accordance with the Virginia BMP Clearinghouse, the Virginia SWM Handbook, and/or the manufacturer's specifications;

- d) The types of land cover on the site should be clearly depicted (i.e. different type of hatching for each land cover). The acreage for each cover type should be included and the acreage should be labeled in all of the subareas. A table should be provided that adds the land cover up by type on the sheet;
- e) Metes and bounds all the way around any conserved open space;
- f) Label any conserved open space as “Runoff Reduction Compliance Forest / Open Space”; and,
- g) The following note should be included on the sheet: “The Runoff Reduction Compliance Forest/Open Space area shown here shall be maintained in a forest/open space manner until such time that an amended storm water management plan is approved by the VSMP Authority.”

11.0 PROJECT TRACKING AND NOTIFICATION

WG shall maintain a database that will allow for project tracking of notifications and documents associated with WG’s ESC and SWM Program. This information shall be reported bi-annually to DEQ on January 1st and July 1st of each year.

11.1 Two Week E-Notification

WG will provide email notification to DEQ two weeks prior to the start of any regulated land disturbing activity. The following Information shall be sent to standardsandspecs@deq.virginia.gov and shall include:

- a) WG Project name or project number;
- b) Any associated CGP permit number;
- c) Project location (including nearest intersection, latitude and longitude, access point);
- d) On-site project manager name and contact info;
- e) Responsible Land Disturber (RLD) name and contact info;
- f) Project description;
- g) Acreage of disturbance for project;
- h) Estimated project start and finish date; and,
- i) Any variances/waivers/exemptions associated with this project.

11.2 Public Involvement

In accordance with CGP Part II.C, WG shall provide any member of the public who requests information with copies of the applicable permits.

12.0 CONTRACTORS

12.1 Routine Projects

For routine construction work, WG typically utilizes contractors on long-term contracts to perform the work. For these projects, WG has construction inspectors who routinely oversee the job. These inspectors are responsible for ensuring the requirements of this plan are followed.

12.2 Special Projects

WG will at times do specific contracts for unusual or large-scale projects. These may be designed in-house or through outside engineering firms. Where applicable, the design shall include the required erosion and sediment controls. WG will ensure that the controls are consistent with the he requirements of this plan.

These projects may be inspected by company personnel or outside inspection personnel. WG will require outside inspectors used for these purposes to be certified to Virginia DEQ standards if their role includes monitoring and inspecting E&S controls.